

CPA

# Quid Novi

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MCGILL UNIVERSITY FACULTY OF LAW  
FACULTÉ DE DROIT, UNIVERSITÉ MCGILL

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## "Out" at law school

KABIR RAVINDRA  
LLB II

After reading Mathieu Bouchard's article in last week's *Quid* on being 'out' in a law firm, I was inspired to write something along a similar line. This piece is about being 'out' at law school, and the many positive repercussions it can lead to.

As most of you have no doubt already noticed, law school is an inherently conservative place. This flows from the fact that many people here are seeking future employment in big firms, and hope to one day deal with big corporate cases. While I do not mean to suggest that this is forcibly a bad thing, I feel that it makes it even more essential that people heading in such a direction get as much exposure as possible to the full spectrum of human diversity — including sexual diversity — before they go off to become cloistered in an environment steeped in tradition and sameness. The more 'out' lesbians and gay men all you heterosexual students get to know now, the more likely you

are to see that we are not freaks (or at least not in any greater proportion than you are!)

This law faculty in particular has been known to produce a large number of grads who later go on to serve public office and to hold positions of power in society. Indeed, whether I like it or not, it is entirely foreseeable that some of my heterosexual classmates may go on to become Reform Party MPs and the like. In my view, it is especially important to nip any possibility of future discriminatory attitudes in the bud. As someone who has greatly benefited from the valiant struggles for acceptance of those lesbians and gay men who have gone before me, I believe I owe a certain duty to return something to the gay community. So do all you other les-bi-gay students in the faculty. In all honesty, I would feel as though we had somehow failed in our duty as if even one of our straight classmates was to go on to be an MP and then stand in the way of our equality

Cont'd page 16

## Top Ten Ways To Get An Extension

STEVEN LEITMAN  
NAT IV AND GREY CUP MVP

- 10) Threaten to make fun of Associate Dean (Academic) Jutras at Skit Nite.
- 9) Go straight to the prof.
- 8) "Fix" the time and date on the stamp at USO.
- 7) Go for souvlaki right before your meeting with Jutras.
- 6) Organize an economic embargo if it's not granted.
- 5) Start with: "I know I'm just being lazy, ..."
- 4) Ask Jutras to see pictures of his kids.
- 3) Tell them you'll complain to *Maclean's* if you don't get it.
- 2) Hire a good hypnotist.
- 1) Offer to donate a library.



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# O U S

## Announcements

13 November 1997

Fall Term Examination information is now posted on board no. 3 (outside room 101), please refer to this notice board for any questions you have about the location of your exams.

MARS is now open to make changes to your winter term course selection. Please

take advantage of the time allotted for course change. MARS will close again on Sunday, January 18, 1998.

The proposed convocation list is now posted on the O.U.S. notice board. If you are expecting to graduate in June, please make sure your name is on the list and the proper spelling of your name is used.

Students are reminded that the University has a no eating or drinking in classrooms policy that should be respected.

## Upcoming Events

MMACC/CCAMM: Next conference: 19 novembre 1997. Professeur Louis Marquis, Université de Sherbrooke. L'arbitrage civil et commercial 12:30 p.m. in the Moot Court.

Les ateliers de droit civil : Workshop given by Prof. Yves-Marie Morissette : "Lies My Notary Told Me." November 20th, 3647 Peel, room 101, 16:00.

## Offres d'emploi Job Offers

The New York office of Paul, Weiss, Rifkind, Wharton & Garrison is actively recruiting interested applicants for permanent positions in our Corporate Department. Please fax your resume to Mindy J. Peck, Legal Recruitment Coordinator at (212) 373-2205 or mail it to: Paul, Weiss, Rifkind, Wharton & Garrison, 1285 Avenue of the Americas, 30th Floor, New York, New York 10019. If you have any questions, please feel free to call Mindy Peck directly at (212) 373-2481 or 1-800-PW-LAW-01

**Tax consulting firm** looking for law students for part-time research work. **Compagnie de consultants en fiscalité à la recherche d'étudiants en droit pour travail de recherche à temps partiel:** 397-0000 ext.245

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Written contributions must be submitted in electronic form, in either Microsoft Word 6 or less or WordPerfect 6 or less. Disks or artwork can be left in the Quid Novi box in the LSA office or at the Quid Novi office. Written contributions can also be sent by e-mail. Deadline is each Wednesday at 12:00.

**Court of Appeal for Ontario.** The application deadline for applicants from out-of-province schools is December 5, 1997. Please see complete information on the Placement Office Bulletin Boards.

# VP External Report

**MARIO NIGRO**  
**LLB II**  
**LSA VICE-PRESIDENT**  
**(EXTERNAL)**

**1) Plan G Success** - The protest in Quebec City against cutbacks to education and social services was a massive success, with approximately 5000 protesters out in the cold making a strong statement that cutbacks have to stop. McGill was well represented, especially by graduate students. A few of our own students were also a part of this successful day of protest.

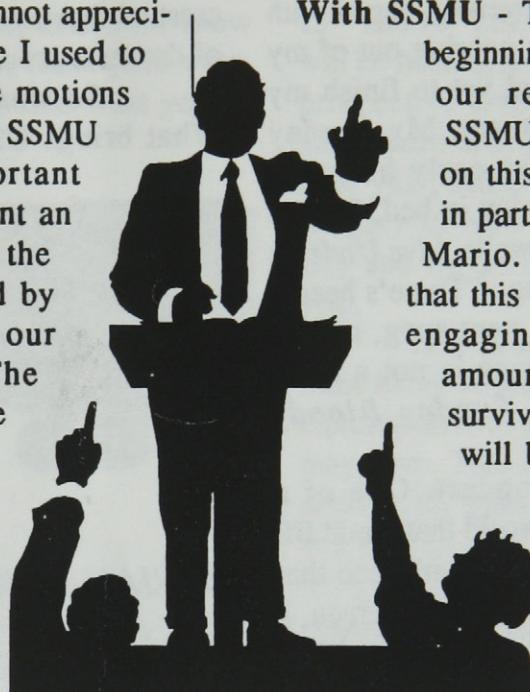
**2) No Ballot Box At The Law Faculty** - I was informed at the last SSMU meeting three days before the voting began that there would be no ballot box in the law faculty for the Day Care Referendum. I am really sorry about this. I attempted to make a motion to change this decision. I am extremely disappointed by the fact that the decision was made late, without asking law students. This decision was based on faulty statistics with no strong rationale. It represents another reason why law students are alienated from the SSMU. When I tried to explain that most law students don't use any other building on campus but Chancellor Day (and possibly Thompson House), they laughed. It makes you wonder if they actually care or are really concerned at all about what we do here.

**3) Health Care Plan Reform** - I have presented five motions to be debated at the next SSMU Council meeting on the night of November 20, 1997. (Yes, that is a Thursday night, and yes have pity that I miss the best parts of Coffee House. Yes I am suffering, and yes feel sorry for me that I cannot appreciate Coffee House like I used to before this job). The motions being presented to the SSMU are extremely important because they represent an attempt to deal with the complaints presented by law students about our Health Plan. The motions focus on five objectives: 1) establish a longer opt out period for students, 2) provide SSMU Councillors with more information about the actual use levels of the Insurance Plan, to see if we are getting our money's worth or are getting ripped-off, 3) provide for an opt-out from the plan that does not require you to present the name and policy number of another insurance company, 4) the requirement that procedures be placed in the Constitution that dictate that the SSMU Council has the final power to make decisions regarding the year to year operation of the plan, and 5) provide for competitive bidding for the plan, when the current contract runs out, to make

sure we are getting the best value for our money. If you want to come out and provide support on the 20<sup>th</sup> of November to make these motions a reality, I would appreciate it.

**4) Subcommittee On Relationship With SSMU** - The Sub Committee is beginning its work to consider our relationship with the SSMU. If you have opinions on this issue or are interested in participating please contact Mario. In addition, I believe that this committee will also be engaging in analysis of the amount of money the LSA survives on everywhere. You will be surprised how much we do considering how little we get.

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**5) Low Turnout For Equity Strategy Meeting**

I was disappointed by the dismal turnout for the equity strategy meeting. We did a lot of advertising for this meeting and yet we received little response. However, we will not be denied in establishing stronger commitments for equity issues by the LSA. The Executive is considering taking the initiative itself to establish a comprehensive draft LSA equity policy. We will then have the groups concerned on campus provide their impact. Our next goal then is to make this draft a reality.

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# One U2, One Bono

STEPHANIE LEE

BCLI

*Gremlins at the Quid are obviously not U2 fans. This article was inexplicably truncated in last week's issue. We apologize profusely to Stephanie, Bono, U2, and all its fans. Here is the whole of the original article.*

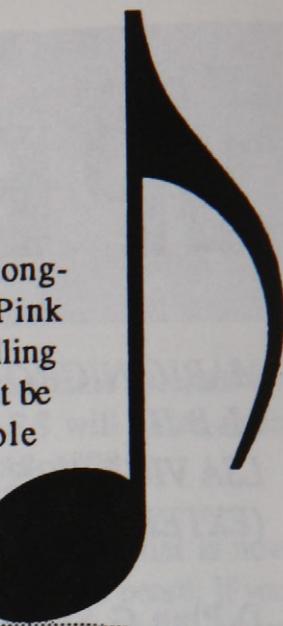
My Sunday evening began with a flood of cuss words pouring out of my mouth. You see, I had yet to finish my delightful case comment. My Sunday evening ended in the early hours of Monday morning as I lay in bed, Bono's voice echoing off the walls, *Live Under a Blood Red Sky* spinning : "There's been a lot of talk about this next song, maybe too much talk, this song is not a rebel song, this song is *Sunday Bloody Sunday!*".

U2... The concert. One of a handful of acts in the world that could fill a 52 000 seat stadium, the only one that does it with a 700 square metre screen, a giant lemon and a great McDonald's-inspired golden arch towering 100 feet above the stage. The band has reached the epitome of what our pop-culture classifies as rock icons, gods of the music world, adored by millions, and they can put on a good show too.

Yes, the special effects were awesome (the band standing in the centre of a giant lemon was a classic), the lighting elaborate and costume changes as surprising as they were frequent. But what it all came down to in the end was the music. The Big-O is renowned for its poor acoustics, but who even noticed? U2's sound is beyond comparison. As the decades have come and gone, they have established an unrivalled repertoire of legendary tunes... *Where the Streets Have No Name, I Still Haven't Found What I'm Looking For, With or Without You, One, Even Better than the Real Thing, Mysterious Ways, Sunday Bloody Sunday, New Year's Day, Pride, I Will Follow*, not to mention the new ones like

*Discothèque* and *Moso*, all of which they played by the way. A regular band would gladly sell their extra body parts to call any one of these eternal crowd-pleasers their own. The first chords of each much-anticipated song ignite the crowd. Waves of energy scream across the stadium. Bodies jump up and down, arms wave furiously and wails and whistles resonate through the air. Then they play *One* and a crest of lighters emerges through the sea of darkness around you.

So what pulls it all together? What brings U2 to the next level and



ranks the group alongside the likes of Pink Floyd and The Rolling Stones? It just might be Bono's incredible stage presence and his palpable intensity. He has succeeded in creating that much lusted-after aura about himself. You can't help getting caught up in all that he is, all that he's doing. When he throws his plastic cup at

## Des "bloopers" dans

MYRIAM BOHÉMIER  
NAT IV

Etudier n'est pas toujours une tâche ardue. Au contraire, ce peut être l'occasion de lire des choses plutôt inusitées. L'autre jour, parmi la pile de jugements que j'ai lus, je suis tombée sur ce que je pourrais appeler des "bloopers". Dans *Lapointe-Boucher c. Mutuelle-Vie des fonctionnaires* (1996), R.R.A. 957 (C.A.), le juge Robert dit, à la page 962 : "Il a été victime de convulsions, d'évanouissement, de pertes de mémoire et d'hospitalisation". Est-ce que la réforme dans les hôpitaux a pris une telle ampleur que l'on peut maintenant souffrir d'hospitalisation? Plus loin, à la même page, ce même juge s'exprime de la façon suivante : "L'obligation du proposant est réputée remplie si les circonstances qui sont déclarées sont conformes aux déclarations". Ouf! Il est soit hyper facile de remplir cette obligation, soit cette phrase ne veut absolument rien dire.

Le droit des assurances est un domaine très divertissant. Le cours

dernier, on s'est obstiné sur une hypothèse vraiment TRES hypothétique, suscitant un grand débat : est-ce qu'un assuré aurait l'obligation de dévoiler à son assureur que l'un de ses grains de beauté se déplace sur son bras alors qu'il contracte pour une police d'assurance-vie? Je me demande la tête que feraient les profanes à nous entendre débattre d'un tel sujet.

Je me sens loin de toutes ces spéculations. Je sais que c'est un exercice de raisonnement très utile afin de développer ses talents d'avocat. Mais j'ai besoin de concret. Quand un juge rend une décision, je pense toujours aux personnes qui auront à vivre avec elle. En droit des assurances, par exemple, on se retrouve souvent avec des causes où une personne perd un être cher qui est aussi son soutien financier. Un juge doit donc parfois décider si oui ou non, cet individu aura droit à la prime d'assurance-vie. Dans un cas que j'ai lu, un juge devait déterminer si la femme d'un homme qui est décédé des suites d'une pendaison érotique pouvait bénéficier de la prime

you, splashing you with water that he purposely omitted to drink, you go insane with excitement. If I threw my backwash at you, you would slap me on the head.

Although U2 has put on at least a hundred shows, they find the energy to make it seem like it's their first every time. Bono is good to his fans. He's the kind of performer that would pull a girl up on stage with him, kneel down and hold her in his arms while singing *With or Without You*. That girl is probably sitting on the floor of her room right now, wearing the same clothes and listening to the same song over and over again.

Although Bono may not care about us individually per se, he cares about his legion of fans

as a whole. Ultimately, he brings the crowd together as one. Imagine an entire stadium of 52 000 people singing the end of *Pride* a capella at the top of their lungs : o oh o oh, o oh o oh, o oh oh o, o oh oh o... While you're used to singing along with the radio, you pinch yourself and realize you're actually singing *with* Bono, live, and you just smile. Somehow, I don't think the rush would be quite the same at a Hanson concert with tens of thousands of people singing MmmBop.

If you missed the concert, don't worry. U2 will surely be back. In the meantime, put on *The Joshua Tree*, sit on your front porch (quick, before the snow comes back for good), close your eyes, and you will definitely find what you've been looking for.

## Careers day

**JEFF NICHOLS**  
LLB I

I realize the work is picking up for everyone but we mustn't forget what awaits us at the end of it all. On January 15<sup>th</sup> and 16<sup>th</sup>, the Career Placement Office will be hosting several law firms and other prospective employers so you can learn about them and they can learn about you. Last year, more than eighty firms from Calgary to New York attended Careers Day and we are expecting even more this year.

The firms will have tables set up, most likely in the Common Room, with a representative to answer any questions you may have. This is an opportunity for students in all years in pursuit of a career in any area of law to become more familiar with the selection process, what the employers are looking for, and types of careers that are out there. Another benefit to getting to know the law firms is allowing them to get to know you. All the firms that attend Careers Day are interested in getting to know who will fill their future summer and articling positions. Many accept curriculum vitae and some will stay for an extra day or two in order to meet with students in one-on-one sessions.

In order to help you in your information-gathering endeavours the Career Placement Office is writing a handbook with a general outline of each firm. However, this handbook will only become available in the days just prior to Careers Day. Therefore, I will be writing a bi-weekly article for the *Quid* with a brief synopsis of the firms which have confirmed their participation. Also, we encourage you to visit the Placement Office, room 43 of Old Chancellor Day Hall, to look up those law firms that interest you. If you have any questions please contact our fearless leader Michelle Legault at *legal\_m* or me at *nichol\_j*.



## les jugements

d'assurance-vie. Le juge trouvait qu'il était prévisible que ce geste entraîne la mort, qu'il s'agissait donc d'une faute intentionnelle et qu'alors, l'assureur n'était pas tenu de payer. Or, si on avait établi l'intention de se suicider, la dame aurait pu toucher à l'assurance, dans la mesure où la police était en vigueur depuis plus de deux ans. Ce couple avait un enfant. Il n'avait pas de maison, seulement un appartement. Cette femme perd non seulement son mari, son support financier, le père de son enfant, mais on lui oppose un acte commis par ce dernier, acte pour lequel elle n'a aucune responsabilité. C'est ce genre de question qui m'amène à réfléchir davantage.

Je suis convaincue que les juges ne sont pas insensibles aux répercussions de leurs jugements et je me dis qu'il est peut-être possible de porter à leur connaissance l'impact que leur décision entraîne sur notre client(e). J'ai toujours cru que la psychologie avait un rôle important dans une salle de tribunal. Si l'avocat sait comment prendre son témoin, il pourra lui faire dire ce qu'il

veut. Pour ce faire, il doit déjouer, déconterancer, cacher au témoin où il veut en venir, ... Le juge, en évaluant la crédibilité des témoins, doit voir où il doit en prendre et en laisser. Ça prend une certaine connaissance de la nature humaine. Je trouve juste dommage qu'il nous soit enseigné à traiter des jugements dans l'abstrait, sans considérer le contexte social, sans que l'on sache de quelle façon s'est déroulé le procès. Ce serait peut-être trop long de nous parler des causes en profondeur, mais il pourrait être possible d'avoir un cours qui nous ferait voir cet aspect (il y en a peut-être un à l'heure actuelle, je ne sais pas).

Je vous laisse sur ces pensées philosophiques. En passant, si jamais vous trouvez des "bloopers" dans certains jugements, ça pourrait être intéressant que vous les partagiez avec les autres membres de la faculté. Envoyez-moi un e-mail au *Quid Novi*. L'adresse est tout simplement "quid".

## Texte ou PRETEXTE?

# Ludi, Morbi, et Recordatio [Games, Illnesses and Remembrance]

PHILIPPE DUFRESNE

NAT IV

Les plaidoiries. Le stress. L'adrénaline. Les avocat(e)s venu(e)s évaluer leurs futurs prospects. Les questions pointues. Les juges-étudiants. Le plus beau moment de la deuxième année (à part les Law Games). Alea Jacta est.

Je trouve qu'il y a quelque chose d'excitant à voir le moot court enfin utilisé aux fins pour lesquelles il a été conçu (et non pas pour donner des cours de property...). À ceux qui s'inquiètent, n'oubliez pas qu'il ne s'agit que d'un exercice et que tous passent par là. Ne vous en faites pas trop! Répétez donc après moi: un demi crédit... un demi crédit.

Restez calmes et préparez vous à l'avance. Répétez devant vos amis, ou un miroir! Dites-vous que vous aller tenter de convaincre et de clarifier; et non pas d'exposer et de répéter les paragraphes de vos facta. Séparez votre argumentation en points majeurs et soyez prêts à sauter d'un point à l'autre selon les questions des juges. Ecoutez les questions. Ceci est primordial. Pour vous convaincre de l'inefficacité et de la frustration occasionnées par l'absence de réponse à une question posée, pensez aux moments où les professeurs comprennent mal une question et n'y répondent pas du tout. Ou encore mieux, écoutez la Période de Questions à la Chambre des Communes. Demandez vous si les réponses évasives ou carrément hors propos vous convaincraient.

Soyez courtois et posés. Parlez

d'un ton passionné, mais rationnel. Résistez à la tentation de vous montrer méprisants ou agressifs envers l'autre partie, à moins que ses propos soient tout à fait insultants ou ridicules (ce qui arrive, somme toute, quelques fois - mais pas à McGill...).

Et ayez donc du plaisir. J'ai pris deux bières avec mon partenaire avant ma première plaidoirie. Ça m'a donné le courage nécessaire pour argumenter et ça a poussé mon collègue Me Jean-Sébastien Dugas à dire au juge: Je m'en fous si vous ne voulez pas considérer mon jugement de la Cour de Cassation... Pensez-vous que qu'on ferait cela dans un vrai procès? (...) Probablement.

All of you probably heard the story of the counsel

who called the judge "my love" to be told that "nobody calls me my love who isn't at least a Q.C". For the students I will be judging on November 18th, don't worry. "My love" will do nicely. I get called that more often than "My Lord" anyway.

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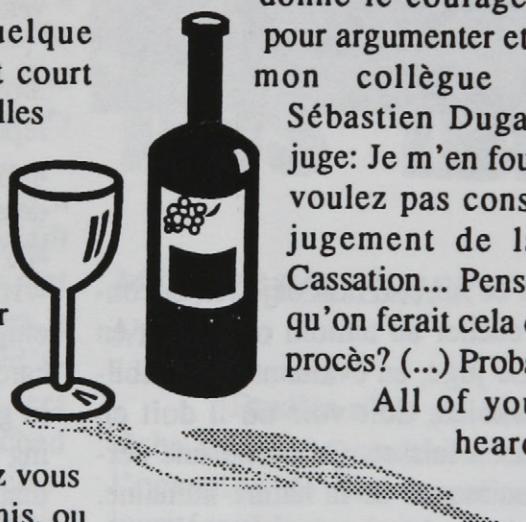
Scully's cancer is in remission. Praise all that is good and pure. I must say though, to all of you who came to see me and told me the good news: Don't presume to tell me what happened on *The X-Files*. I was there. I know. I watched it twice already. I hadn't slept in a week before that delightful episode which put to rest my greatest fears. Now I can

start studying again.

\*\*\*

Mes excuses à ceux et celles que je n'embrasse plus depuis quelque temps. Voila, j'ai attrapé une fichue grippe qui m'a même forcé à manquer la moitié de mon cours de Médiation (celui avant *Omerta*. Si vous saviez à quel point ça m'a fait de la peine d'arriver chez moi avant 9h15...). Pour ceux qui souffrent du "mal de novembre" -rien à voir avec le « Mal de Naples » qui constitue, somme toute, un plus grave problème- je vous recommande le remède suivant: Néo Citran. Ça ne vous guérira peut-être pas, mais vous allez dormir comme vous n'avez jamais dormi dans votre vie. Ne conduisez surtout pas après. En fait, vous ne ferez pas grand chose après alors ne le prenez que tard le soir. Le seul problème de ce médicament est l'entorse sérieuse qu'il porte à la réputation de son consommateur. Je vous le jure, ma pharmacienne me regarde comme si je venais de lui demander de la Morphine Extra Bliss. Non mais! Je me sens le devoir de reproduire ici sa recommandation: "Les gens pensent que ça fonctionne. Ils cessent de tousser et de renifler; mais c'est seulement parce qu'ils dor-

ment...". It's up to you. Maybe you'll want to sleep on it...



Speaking of pulmonary illnesses, have you heard the most alarming rumour to the effect that room 200 contains only roughly 20% of clean air (or something like that)? My classmate told me this after I had sneezed five times in a row in Jurisprudence. Is this true? I learned this too late to conduct a proper enquiry. Ask your LSA reps for answers (mention the computers while you're at it). All I can say is that I have 9 hours a week in this room. No wonder I'm picking up a Neo Citran addiction!

\*\*\*

C'est tout. Je termine en soulignant avec regret le peu d'attention porté au Jour du Souvenir à la Faculté, malgré les excellentes recommandations de Chris Waters et Bill Wagner dans le dernier *Quid*. Le Canada a participé activement aux deux Guerres Mondiales et on ne peut se permettre de l'oublier. Au Parlement Fédéral, des livres contiennent les noms de tous les Canadiens qui sont morts à l'occasion de guerres auxquelles le Canada a participé. Tous

les jours, à Ottawa, on tourne une page de ces livres à 11h00 pour commémorer leur sacrifice.

Lors de la Première Guerre Mondiale,

626 636 Canadiens ont pris part aux hostilités et 65 000 sont décédés au combat. Durant la Deuxième, 45 000 ont perdu la vie parmi les 1 000 000 de soldats envoyés en Europe. Dans les deux cas, c'était près de 10% de la population qui était touchée par les événements. Presqu'un membre de chaque famille. La moindre des choses serait de leur rendre un tel hommage une fois par année. La moindre des choses serait de décréter un congé statutaire le 11 novembre (il me semble que ce sacrifice se compare en importance à la raison derrière bien des fêtes religieuses). En

« Lors de la Première Guerre Mondiale, 626 636 Canadiens ont pris part aux hostilités et 65 000 sont décédés au combat. Durant la Deuxième, 45 000 ont perdu la vie parmi les 1 000 000 de soldats envoyés en Europe. »

l'absence d'une telle action gouvernementale, la Faculté devrait inviter les professeurs à annuler leur cours ou au moins à observer une

minute de silence. Les quelques 100 000 morts au combat méritent bien cela.

*Philippe Dufresne is a former Parliamentary Guide whose performance in squash (amongst other things) decreases when he is sick. Cynical about the possibilities of his being appointed to the bench, he awaits with anticipation his spell as a judge on November 18th.*

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## Martineau Walker

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# Debunking BC

BRENT OLTHUIS  
LLB I

I come from British Columbia, a place with a strange name, and a place with a lot of explaining to do. As a native, I feel that I have a duty to speak out now on some recent developments and some older stereotypes as well — debunking the myths, so to speak.

First of all, there is this matter of the name. Other Canadians (and, indeed, people of foreign lands as well) presume that the presence of "British" in our province's name indicates some nostalgia of the general populace for colonial days gone past: Myth Number One. Nothing could be further from the truth. British Columbia is no longer. Only BC remains. We are not (usually) British Columbians, we are BCers. In fact, there was a rather vain attempt at national unity following the 1995 Quebec referendum in which a provincial political pundit proposed a change to the province's name from BC to PC: Pacific Canada. Granted, the idea was lame and rather than gathering support it gathered dust, but for all intents and purposes, I think the change of name would affect the description of the province about as much as it would improve national unity (i.e. not at all).

Yes, those of you who know a little about BC might point to Victoria as proof that we on the left coast are hopelessly enamoured with our friends across the Atlantic. There is a very simple one-word explanation for the double-decker buses, tea at 4, and other silly British trappings of the capital, and

it is... "TOURISM" (and not that other "ism" that begins with "imperial"). As Johnny Rotten once succinctly stated, "God save the Queen, 'cause tourists are money." What is in a name after all, to paraphrase another quote; one certainly would not accuse the residents of the West Indies of harbouring amorous sentiments for India!

Myth Number Two is a relative newcomer and has some outspoken support in recent (and already much over-publicized) comments. Rest easy, "Rest of Canada" (hereinafter ROC), BCers do not want independence. Most of us have never even pondered the idea. However, due to the recent re-emergence of grass-roots populism in BC politics (something to which we have always been acutely susceptible), the

empty spectre of "Pacific Isolationism" has been dug out of the murky depths of some long-lost party machinery to show that our elected leaders are supporting the little guy, Joe Voter (what an un-elected official like

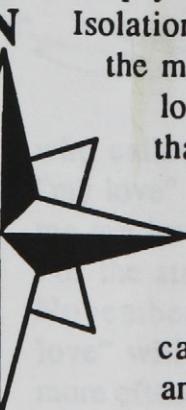
Senator Carney is doing canvassing divisiveness is anyone's guess — I suppose Harris, for his part, is just trying to make some friends).

Premier Glen Clark is a master of this technique and —I know I am running the risk of being labelled an elitist in saying what I am about to — Clark never ceases to astonish by appealing to the basest levels of pass-the-buck politicking in his "Ottawa bashing" or "Someone-else-from-outside-BC bashing" to prove to his electorate that he is doing them right. A lot of what is actually said can be chalked up to such political games. By the way,

I feel that I am entitled to this little tirade against my little leader: I voted for him (the election of his NDP government for the second consecutive term should debunk Myth Number Three, that all BCers are card-carrying Reform Party members).

Polls taken in the province have shown that BC's inhabitants perceive themselves as living on an island completely surrounded by envy, a very accurate portrait of our (unintentional?) arrogance. BCers *do* tend to think of themselves as the envy of the ROC, and sometimes fail to see how this cannot be the case. As for me, I am indeed a proud BCer, but I only believe in our "distinctive" nature insofar as it can be lampooned. I take quite a lot of slagging from my co-loc and her boyfriend (both of whom are francophone Québécois who have spent time living in BC) as the stereotypical "BC guy": I violate the fridge with my skim milk, the shelves with my un-sweetened bran-based breakfast cereals, my 9-grain bread, and my low-fat yoghurt, and I even exercise.

Certainly, these and other California/Seattle influences are found in BC: Nouveau-Hippies, Grunge-folk, Starbuck's on every corner, and the all the requisite hydroponic "industries" (a BCer recently won the annual Cannabis Cup in Amsterdam for his BC-grown product!). Like our Californian friends we do each winter survive the influx of "snowbirds" from Ontario, but in general we probably feel more in common with the fishermen in Newfoundland than we do with the glitterati in California — after all, the Newfies can



# COMPARATIVE STATISTICS PRESENT LAW LIBRARY vs. NAHUM GELBER LAW LIBRARY



**DEANNA MATZANKE**  
**CHAIRPERSON, NEW LAW LIBRARY COMPLEX STUDENT COMMITTEE**

If you missed the presentation on the New Law Library, Robert Clarke (the Head Law Librarian) has graciously provided us with a comparison chart for your information. If you have any questions, please refer them to Mr. Clarke.

<u>ITEM</u>	<u>OLD</u>	<u>NEW</u>	<u>% VARIANCE</u>
Total net space (sq.ft)	17,744 <sup>1</sup>	31,250	+44%
Stack shelving (linear metres)	6,584	9,305 <sup>2</sup>	+29%
Total open seating (incl. tables)	190	243 <sup>3</sup>	+22%
Seating at large study tables (open areas)	56	112	+50%
Grad carrels/group study room (seats)	25 <sup>4</sup>	705	+64%

## Notes

1 as reported in the Sheppard report in Table 15 on p.74.

2 estimate based upon conventional (fixed) stacking in basement. Figure would increase by approximately 35% if compact shelving is installed. Atrium basement space is **not** factored into this calculation.

3 excludes 24 seating positions in the Computer Instruction Classroom on the main floor of the new library building.

4 includes seating in Room 600

5 includes use of Moot Rooms as group study rooms in off-peak periods

Prepared by: Robert Clarke  
October 14, 1997

# I HAVE RETURNED

**WHITE FISHER**

Having finally emerged from the paradoxical heights of the sixth floor and depths of tax, I got the chance to return to my more familiar and favourite surroundings, namely McConnell Winter Arena and HOCKEY!! My thanks to cub reporter Marie-Claire Leman for a fine Jimmy Olsen in my absence, and my apologies to Malum in Se for missing what was truly an epic — nay, biblical — victory against overwhelming odds. As I remarked to Alex Johnston, it was like Agincourt all over again.

Tuesday night last got me out to see two McGill intramural teams, starting with Women's A League team **Malum in Se**. They were up against what is likely their main opposition on The Road to the Mug, the GhettoBlasters, (defeated) finalists last year.

Malum was plump with players, goalie included, what with facts, case comments and other administrivia finally out of the way. The Blasters, for their part, fielded only eight skaters aside from the goalie, but there wasn't a weak one in the bunch. The stage was set for a nail-biter given Malum's still undefeated record.

Now you know me. I see many games. Some good. Some bad. Frankly, I have never experienced a hockey game like this one yet this year in either league. To say it was the best women's hockey so far is patronizing in the extreme; this was just plain great hockey regardless of who was wearing the helmets.

In essence, this was a defensive battle *extra ordinaire*. Forecheckers on both sides battled with their opposite defenders in the corners, in front of the net, and along the boards. Very few were the outright offensive rushes, and those that did occur were quickly

snuffed by tight defence or superb goaltending. The edge in the latter category must go to Malum's goalie, known to this reporter by the single name of Dawn, who made some spectacular saves on bang-bang plays no more than four feet in front of her. Had Malum been in its former position of playing without her, the outcome of this game would have been radically different, and that is no slight against the Malum defence. Against a team like the Blasters, you just can't compete without a body in the net full-time.

The game ended in a scoreless draw — that's 0-0 to you science students — despite some literally-last-minute heart stoppers. One Blasters shot rang off the post and sent the team into a celebration, but a well-placed referee (AT LAST!) made the correct call of no goal. With 41 seconds left, Sharon Johnston sent forward Alana Maurushat in almost-alone with a fine lead pass up the left wing boards, but again the Blasters goalie closed the door. No harm, no foul. Just wait 'til next game.

Closing out the evening was Men's D League team **Semper Tyrannis** against a team known as the Brain Drains, surprisingly not made up of law professors. Tyrannis was in tough this game with their goaltender Ed Belfour missing in action. Stepping up to the daunting task of filling his pads was forward Mike Spanier on his first ever adventure between the pipes. This fact normally means that the game can end in Tyrannis' favour in one of two ways: either Spanier is a star, or the offence makes up for his excusable mistakes. Well, Fisher, better make that three: Spanier is a star, the offence makes up for his single mistake, and the Brains are a bunch of pylons.

Hardly had Tyrannis taken its first shortened breath when Dean Taylor snapped one in from a scramble in front of the net on a pass by Brent Olthius to make it 1-0 Tyrannis. The Brains came

right back, but Spanier came out and made a stellar glove save to keep his team ahead. He couldn't keep out a Brain shot on a rebound he gave up at 4:30, but that was less his fault than that of his defence.

Tyrannis kept pressure on throughout the first period with marked performances by Paul Flicker at the point and twin LL.B. III terrors Dunn and Dimitrievich in front of the net. Eventually, the Brains' defence cracked, and Tyrannis lived up to its name in spades. At 14:30, Phantom of the Faculty Mike Glazer put Tyrannis ahead with a wrister from the slot, and Brent Olthius made it 3-1 at 16:30 with a wraparound backhand over the sprawled Brains goalie. Spanier continued to hold tough, and more importantly, to hold the Brains to their single goal.

The second period was very much akin to the old adage of shooting ducks in a barrel with Tyrannis players of all sizes and positions teeing it up and taking a shot at the Brains goalie. For that poor soul's part, he did the best he could with a non-existent defence that allowed Tyrannis players to camp out in his crease, making a fine save on a Darren Zeidel one-timer from the slot. However, the law of averages was against him and in favour of Brent Olthius, who scored twice in one minute for the hat trick. The first of those two was the prettiest, being a wrist shot that found the top corner from a bad angle. The second of the two was the richest, being a slap shot from around the hash marks that came out of the Brains' net only slightly slower than it went in. Add a couple more Tyrannis goals and some more Spanier saves, and the game ends up 7-1 in Tyrannis' favour.

The team took the win, but was not pleased with their performance overall. Admittedly, when the other team is so wretched, fundamentals tend to go out the window as a shiny mentality takes over and everybody becomes an

offensive threat (or thinks he is). But there is much to look well upon here: the Taylor-Olthius Legion of Doom line, the Dunn-Dimitrivich digger line, and the return of Mike Spanier to the forwards ranks. Such a victory is often just what is needed for a confidence boost going into the next match.

Being a glutton for punishment, here are some more games for you NOT to attend:

Tues. Nov. 17, 18:30: Chix With Stix  
Thurs Nov. 20, 22:30: Spawn of Fagan  
Fri Nov. 21, 22:30: Prosecutors

Tues. Nov. 25, 19:30: Malum in Se;  
21:30: Semper Tyrannis

Stay tuned for further reports from your Man at McConnell. I have nothing to say about the Brass this time.

- David White, Nat. IV



**Tues. Nov. 17, 18:30:**

**Chix With Stix**

**Thurs Nov. 20, 22:30:**

**Spawn of Fagan**

**Fri Nov. 21, 22:30:**

**Prosecutors**

**Tues. Nov. 25, 19:30:**

**Malum in Se**

**21:30:**

**Semper Tyrannis**

# Debunking BC

CONT'D FROM PAGE 8

join us in an "Ottawa bashing" session!

Yes, we may eat differently, enjoy milder winters, and be GEOGRAPHICALLY isolated by the Rockies, but even when all this is considered in conjunction with the fact that we have a FULL DAY's holiday on November 11th, there is no justification for qualification of BC as distinct, as enjoyable as it might be to carry such a differentiating label.

We in Canada are much more similar than anyone either inside or outside of BC would even like to admit. The Canadian national character or lack thereof is an oft-lamented topic. However, I propose that there *is* a uniting national characteristic: each region feels equally unfairly done by in the federation (with the possible exception of Ontario, which I do not know enough about to speak for). Yes, we also all laugh like "the Dickens" at the way that flap of Peter Mansbridge's comb-over keeps falling over his eyes.

So, as long as Ottawa's evil spectre lurks on the horizon, as long as Peter delivers our daily news, maybe, just maybe, we *can* all get along!

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# Matters of Size - A Plea

**MATIAS MILET**  
*LL B II*

At six inches, six cricket feet tall, I am a little man, not a small man in the sense of one who shies from danger. Not wanting to go the route of the freak-show, I have missed out on a fortune and instead have seen misfortune and rout.

My first job was turning pages for a scholar who was a latent channel surfer: he read by candlelight and had six folio volumes going at once, making me hop from one to the other so he could compare and collate. I cooked and had the run of the kitchen. Morning and night we had cheese soup garnished with elm. Conversation was very stilted. One day I decided I had enough of it when I heard him mutter, "Thus far, thus good." From the height of pedantry, I jumped out the window - only to find I had a coffee filter for a parachute.

I had the luck, if I have ever had such a thing, of landing my current job as I landed in a downy perambulator. The job description is: hired playmate to a baby Goliath, though his name is David. When we play he wears boxing mitts. His bodily expulsions are so powerful that his diapers are woven of plaster. He picks up things so huge that his baby boots are steel toe.

To amuse David this past Halloween, my employers stuffed my shirt-front with candies, put a clothes-pin hinge at the back of my neck and then engulfed my head in a Disney Goofy mask.

If anyone out there can use the services of a hard-working man who doesn't require a lot of room or board, please contact me. I don't want to be put in a baby's clutch anymore with a mask on, being ordered to hold myself rigid and be a good Pez dispenser.





## To mend the world

BENJAMIN ARCHIBALD

LLBI

Two weeks ago, Kate Wood wrote an engaging article about the current strife in Sri Lanka ("Shock to the System," *Quid Novi*, November 3). Touching on her experience as a summer intern working in the human rights field, she reflected on the notion of consciousness. We in the West are often lulled into complacency. After all, our lives are far simpler than those of individuals living in regions of varying socio-political turmoil. Kate's message was an important one, to be aware of others' misfortune, to be conscious of the very nature of our world, a confused and often very violent place.

The theme of consciousness is unique to the human condition. For better or worse, it distinguishes us

from other beings. Humans are not only capable of action, they are also capable of reflection.

It is with this in mind that I turn to the thought of Jewish philosopher Emil Fackenheim. Professor Fackenheim is deeply influenced by the kabbalistic (Jewish mysticism) idea of tikkun olam (to repair, or fix the world). In the Jewish tradition a parable of creation is given in which the world is said to be composed of numerous vessels. As evil emerged in the world God shattered the vessels, leaving humans to put them back together again, i.e.: to repair the world.

In his work *To Mend The World*, Fackenheim elaborates on the Jewish notion of consciousness as it relates to the parable. Through consciousness of evil, humans have a necessary duty to mend a fractured world. Only through consciousness of evil and violence can humans wrestle honestly with the problems prevalent in society at large.

It is important to note, however, that Fackenheim is not advocating campus style knee-jerk activism. What he is advocating is thoughtful discussion and reflection on the important subjects of philosophy, theology, and by implication, human rights.

A rejection of indifference and the embrace of consciousness is a necessary step, then, in recognizing the strife that occurs daily in our midst.

**PROCHAINE TOMBÉE:  
LE MERCREDI, 19 NOVEMBRE 1997**

**NEXT DEADLINE:  
WEDNESDAY, NOVEMBER 19, 1997**

# Child-like at Heart

SOULETTE GRAY

BCL II

When we are young, it's so much fun, our cares of the world are few  
But as we get older, even if someone told us, we get our "own" view  
Life is like that I must confess  
It's similar to a game of chess  
The more we play, the more challenging it seems to become  
Which might explain why vibrant players are rarely overcome with boredom  
As Shakespeare says: "All the world is a stage"  
Though, for me, its every actor to their own page  
But no matter how I play my part  
I wish to remain child-like at heart

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For the heart of a child is meek and mild  
And full of fun and laughter wild  
But as one tries to act more "grown up" and "more mature"  
Life seems a lot less natural than it did before  
The well of humility and wonder seems to slowly disappear  
As we focus upon becoming "successful" in our respective career  
We are a lot less like the playful gems we once were  
We would have "grown up" to be a social "Lady" or "Gentleman", a "Madam" or a "Sir"  
But no matter how I play my part  
I wish to remain child-like at heart

When we are child-like, life's potentials are more grand  
And our ability to learn is as flexible as a rubber band  
But as we "mature" we become less open-minded and more rigid  
And twice as likely to judge what is "different" as "inferior" or "stupid"  
As "grown-ups", our mannerisms are more vulnerable to the indifference of robotics  
Which in turn makes us extremely vulnerable to the commission of social antics  
In the process, child-like gentleness might have become a part of our intriguing past  
Which could seem like so long ago if we are among those who "grew up" really fast  
But no matter how I play my part  
I wish to remain child-like at heart.



# Ten Odd Things about the Faculty of Law

RENA SHADOWITZ

NAT IV

PRESIDENT AND FOUNDING MEMBER, PROCRASTINATION AND THE LAW STUDENT (PALS)

1. Why are there urinals in the women's washroom? Why are they covered in shower curtains? Why do they run continuously? Why does it smell like a pool in that bathroom?
2. What's wrong with the doors to Old Chancellor Day Hall ? Push to enter- Pull to exit?
3. Why isn't the entrance to the library on its lowest level (i.e. the third floor and not the fourth)?
4. Why is the machine to put money on your copy card not in the photocopy room?
5. What exactly is the fabric on the chairs of the Moot Court? Pleather? Lastic?
6. Why are the carrels on the fifth floor of the library turned so you can't see out the windows?
7. Are the walls in Rooms 101 and 102 that color on purpose or is it because they last painted them before smoking was banned in the building?
8. Who are the people in those pictures in the second floor classrooms and why are their pictures on the wall and why are they arranged in such a peculiar fashion?
9. Has anyone ever seen, in its entirety, any piece of furniture in Professor Cotler's office (including the floor)?
10. When will the Procrastination and the Law Student hold its first meeting? (This question was originally, "What's with the fan in room 102?" But since it took me four years to publish this list that question has become redundant)

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The Procrastination and the Law Student (PALS) is holding its first ever contest. Please submit your entries to the *Quid*. We still haven't figured out what you win but we're working on it...

"The Most Ridiculous Thing I Ever Did To Avoid Studying Was..."

(I watched the entire *Fiddler on the Roof* in French the day before my Constitutional final to avoid studying... "Si j'étais un riche homme.....")

# "Out" at law school

CONT'D FROM PAGE 1

when presented with a vote on the issue in the House of Commons.

Minorities are often obliged to assume the role of ambassadors of their minority communities vis-a-vis the larger community, and to a certain extent I often feel as though I am assumed to represent not just myself but *all* gay people. This may or may not be fair, but there is no denying that such a phenomenon exists — in this faculty as elsewhere. While it can occasionally get to be a bit tiring to be the 'fag poster boy' of my class, it is sometimes incumbent upon me to play that role, and I don't really object. (As many of you know, I secretly like it!) Besides, I'm hardly the only 'out' student in the faculty. If anything, the ever-increasing activities and visibility of the student group 'Sexual Minorities and the Law' over the past year may indicate that a critical mass of 'out' people in the faculty has been reached. This in turn makes it even easier for those who are still closeted to come out.

Some women are lesbians, some men are gay, and many people are bisexual. Others are straight. This has always been, and will always continue to be the case. As a society, it is in all of our interest to deal with this fact in an intelligent and reasonable manner. It is unhealthy to hate, and it is unhealthy to feel hated. Hate is definitely not a family value. I have always believed that it is very important for people who aren't lesbian, bisexual, or gay to stand up and be positive and open-minded with respect to those of us who are. On this score, Phil Dufresne's article a couple of *Quid's* ago, in which he commended the heightened visibility of les-bi-gay students in the faculty, was quite refreshing ("Texte ou Prétexte," *Quid*

*Novi*, October 27).

Personally, I find that being honest about my sexual orientation allows me to be myself without having to pretend that I'm straight or having to live a double life. Not only does it allow me to respect myself, but it allows others to respect me for who I am, as opposed to who they assume me to be. It also makes it much easier for me to respect them. The days of presumed heterosexuality at school and only being able to be the real me with my non-school friends are *so* over. Not only would such a situation be difficult and frustrating for me, but it would inhibit my ability to form lasting friendships in the faculty. Frankly, I suspect I would be quite miserable if I did not feel that I could be open about my sexual identity with my classmates.

Some readers may be inclined to make the anti-gay argument that I'm somehow being too 'in-your-face' by even writing this article. This is wrong. Over the past couple of weeks, not a single Property class has gone by in which we haven't used examples of heterosexual couples trying to establish some regime of matrimonial patrimony or the other. Where are the examples of Jeff and Jacob's co-ownership? Or Thérèse and Tatiana's? Until these examples are a routine part of the curriculum, people like me will have to keep writing these articles just to remind everyone that we exist.

Being 'out' is about increasing visibility; it's about writing articles like this one in the *Quid*; it's about feeling free to bring a same-sex date to law parties if you want; or for me to be able to dance with a boy (other than Awi) at the semi-formal. Hopefully one day there will be enough of us 'out' and enough cool straight people around that *someone else* will ask about Jeff and Jacob's undivided co-ownership (hint, hint). I keep waiting for someone to put up their hand and say something to this effect, but I guess there just aren't enough cool straight people out there yet. Either that or the entire class has whiplash from the breakneck speed

Professor B.'s been flying through that workbook!

Though I recognize that many members of the gay community do not share this viewpoint, I have always been convinced that homophobia is a two-way street. It partly stems from fear and ignorance on the part of (some) straight people, and it partly stems from the fact that so many lesbians and gay men are closeted. The two reinforce each other, creating an uncomfortable climate and leading to feelings of unworth and low self-esteem on the part of some people, and unjustified feelings of superiority on the part of others.

I have been much happier in the faculty since I came 'out'. But for a couple of homophobic comments I was obliged to weather before my sexual orientation became public knowledge, I have found my classmates to be generally supportive and accepting of my difference. Some have even felt sufficiently at ease to ask me questions about what it means to be gay and how I feel about being 'out' in the faculty. Indeed, I was pleasantly surprised last year when one of the more conservative members of my class — with whom I had hardly ever spoken at the time — casually informed me that my (ex)boyfriend was over there chatting with the rest of the class at a Coffee House last fall. I just thought it was great that this person, whose conservative credentials had led me to assume he would never be comfortable with the fact that I was different from him, was so casual about the fact that I was dating a guy. That's exactly as it should be, not just in this faculty, but everywhere.

So for those of you who think you don't know any lesbian, bisexual, or gay people out there, take a good look around. We are your classmates, your family members, and your friends. And for those of you who are just peeking out the closet door, trying to determine if the sky will open and heap hailstones upon you should you tell anyone, just remember that the weather is much better out here than it is in there!